

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES SHEPARD,

Plaintiff,

Civil Action No. 17-CV-11604

vs.

HON. BERNARD A. FRIEDMAN

OAKLAND COUNTY SHERIFF'S
DEPUTY AMY SIMPSON, et al.,

Defendants.

**OPINION AND ORDER GRANTING THE MOTION OF DEFENDANTS
SIMPSON AND HANNA FOR SUMMARY JUDGMENT AND DISMISSING
THE COMPLAINT AS TO THE REMAINING DEFENDANTS**

This matter is presently before the Court on the motion of defendants Simpson and Hanna for summary judgment [docket entry 17]. Plaintiff has responded by requesting that the Court "dismiss the case without assessing costs or fees."

This is a police misconduct action in which plaintiff alleges that he was denied proper medical care while confined at the Oakland County Jail in August 2014. While the complaint names sheriff's deputies Simpson and Hanna, as well as four "John/Jane Does" and Oakland County as defendants, Simpson and Hanna argue that they are entitled to summary judgment because the complaint makes no specific allegations as to them and because plaintiff conceded at his deposition that they did nothing wrong. Pl.'s Dep. at 42. As plaintiff has not responded to these points, he is deemed to have conceded them. *See* Fed. R. Civ. P. 56(e)(2). As defendants Simpson and Hanna are plainly entitled to summary judgment, the Court shall grant their motion. Accordingly,

IT IS ORDERED that the motion of defendants Simpson and Hanna for summary judgment is granted.

IT IS FURTHER ORDERED that the complaint is dismissed as to the remaining defendants pursuant to Fed. R. Civ. P. 41(a)(2).

Dated: May 11, 2018
Detroit, Michigan

s/Bernard A. Friedman
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on May 11, 2018.

s/Johnetta M. Curry-Williams
Case Manager